

## CHAPTER 172 SHELTERED WORK/WORK ACTIVITY SERVICES

[Prior to 7/1/83, Social Services[770] Ch 155]  
[Previously appeared as Ch 155—renumbered IAB 2/29/84]  
[Prior to 2/11/87, Human Services[498]]

### **441—172.1(234) Definitions.**

*“Accreditation”* means the official award of accreditation by the commission on accreditation of rehabilitation facilities (CARF) or the accreditation council on services for people with developmental disabilities (ACDD) that the facility substantially fulfills the standards established by the respective accrediting body.

A *“caseworker”* is a department employee who is responsible for eligibility determination, arranging for and acquiring assessment/evaluations, development of an individual service plan, participate as a member of the interdisciplinary team for developing the individual program plan, and to monitor for the department that services provided are consistent with the individual service plan and the individual program plan.

*“Department”* means the Iowa department of human services.

An *“evaluation program”* is a service component of sheltered work services that is a situational assessment and not more than three months’ duration, except that additional periods up to three months may be approved subject to need justified by the facility and the caseworker, and using the medium of work to determine a client’s potential, and which meets the standards in these rules.

A *“handicapped worker”* or *“client”* is an individual whose earning capacity is impaired by a handicapping condition and who is being served by a facility meeting these standards for rehabilitation facilities.

*“Independent living skills”* is a service component that assists the individual in acquiring and maintaining the basic day-to-day skills essential for self-sufficient and independent functioning at work and in the community at large, such as money management, health and hygiene, family planning, food and nutrition, clothing care, rights and responsibilities of citizenship, leisure time management, mobility and language.

*“Meals”* are a service component designed to provide adequate nutritional diets or snacks to individuals who are participating during meal/snack time.

*“Personal/social adjustment”* is a service component designed to assist the individual in adjusting to the psychological, social, and routine demands of work, home and community environments such as emotional development, self-assessment, self-confidence, social behavior, interpersonal relationships, responsibility, decision-making and communication.

*“Placement and follow-up”* is a service component designed to integrate the individual into the least restrictive environment with necessary support to assure movement toward goals and successful integration.

A *“project manager”* is a department employee who is designated as responsible for the development, monitoring and evaluation of purchase of service agreements with the rehabilitation facility/provider. Evaluation of a provider shall be based on the provisions of the purchase of service agreement and these rules.

A *“provider”* is a rehabilitation facility having a distinct administrative entity, either separate or within a larger organization which has an approved purchase of service agreement with the department to provide specific programs.

A “*rehabilitation facility*” is a facility or a distinct administrative entity, either separate or within a larger organization, operated for the purpose of providing vocational or rehabilitation services to handicapped clients through a program designed according to the physical, emotional, mental, social, and vocational restoration needs of the client.

“*Sheltered work services*” are services provided by a facility carrying out a recognized program of rehabilitation, habilitation, or education for the handicapped worker, designed to lead to competitive employment, or the provision of long-term, remunerative employment at a rate not less than the applicable certificate rate. Services provided may include, but are not limited to, intake, evaluation/assessment (including work evaluation), work adjustment, vocational skills training, personal/social adjustment, independent living skills, placement, and follow-up, transportation and meals.

“*Supported employment*” is a service component which provides competitive work in an integrated work setting with ongoing support services for persons with severe disabilities for whom competitive employment has not traditionally occurred, has been interrupted, or is intermittent as a result of severe disabilities; or which provides transitional employment for persons with chronic mental illness.

“*Supported work training*” is a service component which provides continuous or periodic skill training services at least twice monthly at the work site throughout the term of employment to enable the person to perform the work.

A “*training program*” is a service component of sheltered work services of not more than six months’ duration, except that additional periods up to three months may be approved subject to need justified by the facility and the caseworker to develop vocational skills designed to:

1. Develop the patterns of behavior which will help a client adjust to a work environment, and
2. Teach the skills and knowledge related to specific work traits, and
3. Teach the skills and knowledge related to a specific occupational objective of a job family.

“*Transportation*” is a service component provided to individuals who need a means of travel to and from services, for specific needs or emergencies.

“*Work activity services*” are services for those individuals whose impairment is so severe as to make their productive capacity inconsequential and are designed to enable them to move to other appropriate training programs or employment. Services provided may include, but are not limited to, intake, evaluation/assessment, work adjustment, personal/social adjustment, independent living skills, placement and follow-up, transportation and meals.

“*Work adjustment*” is a service component designed to assist the individual to acquire and maintain optimal work competency through increasing the individual’s ability to handle demands of employment skills as in the Dictionary of Occupational Titles, such as self-assessment, work habits, work skills, job seeking skills, vocational goal formation.

#### **441—172.2(234) Approval.**

**172.2(1) Request.** A request for approval to provide services and receive payment for eligible clients shall be initiated by the provider. Approval by the department shall be made only when the provider meets the standards set forth in these rules. Request shall be initiated by use of a purchase of service agreement addressed to the project manager in the county or district where the facility’s home office is located.

**172.2(2) Conditions.** The facility shall be approved by the department as complying with all standards or notified of specific deficiencies and the actions necessary to bring the facility into full compliance with the standards. Payment will be made only after the purchase of service agreement is approved and signed by all necessary department administrators.

**172.2(3) Accreditation approval.** The department may enter into a purchase of service agreement only with a provider that has been accredited by CARF or the ACDD, and has furnished proof of the accreditation to the department in order to obtain a purchase of service agreement after July 1, 1983.

**172.2(4) Nonaccreditation interim approval.** The department may approve a purchase of service agreement after July 1, 1983, even though the provider is not accredited by CARF or the ACDD. Approval shall only be given as specified:

a. Those facilities which have contracted with the department prior to July 1, 1983, shall be granted a one-time 18-month extension if they have submitted a formal plan for progressively bringing the facility into full accreditation by January 1, 1985, and the plan has been accepted by the department. This plan shall include assurances for protecting the life and safety of the clients served, and shall also include a target date for making application for accreditation, a target date for scheduling an accreditation survey, and may also include appropriate presurvey or on-site survey workshop consultations by persons competent in applying standards of the chosen accrediting body.

b. Those facilities which have not contracted with the department prior to July 1, 1983, shall be granted a one-time three-year extension, from the starting date of their first contract, if they provide a formal plan for progressively bringing the facility into full accreditation during this period and the plan is accepted by the department. This plan shall include assurances for protecting the life and safety of the clients served, and shall also include a target date for making application for accreditation, a target date for scheduling an accreditation survey, and may also include appropriate presurvey, or on-site workshop consultations by persons competent in applying standards of the chosen accrediting body.

c. Those facilities which go through their chosen accreditation process and are rejected or receive an abeyance from their accreditation body will be allowed a one-time one-year extension from the date of the rejection or abeyance when they have submitted a plan for progressively bringing the facility into compliance during this period, and the plan has been approved by the department. This plan shall include assurances for protecting the life and safety of the clients served and the schedule for achieving accreditation by the end of the extension.

#### **441—172.3(234) Eligibility.**

**172.3(1) Provider.** Sheltered work/work activity services shall be purchased by the department only from a provider whose facility has been approved as set forth in these rules and which has a valid purchase of service agreement presently in force with the department of human services as set forth in 441—Chapter 150.

**172.3(2) Client.** Sheltered work/work activity services shall be provided only to persons who have a current documented diagnosis of a handicapping condition which prevents competitive employment, but who would be capable of some work productivity in a sheltered work/work activity environment. Each client shall meet program and service requirements as set forth in these rules, and eligibility requirements as set forth in rule 441—130.3(234).

**172.3(3) Leave days.** A client receiving service from an accredited provider shall be entitled to accrue leave days at a rate of 15 days per year, with a maximum accumulation of 30 days. Leave days shall be considered as reimbursable units of service to the accredited provider when records documenting client usage are maintained by that provider.

**441—172.4(234) Assessment (diagnosis and evaluation).**

**172.4(1) *When and how arranged.*** A current diagnosis and evaluation shall be available or shall be scheduled by a department caseworker prior to the development of an individual service plan and prior to placement of the individual in any sheltered workshop or work activity program.

**172.4(2) *By whom developed.*** A diagnosis and evaluation shall be conducted by an interdisciplinary team which may consist of a physician, social worker, psychologist, educational/vocational counselor or other professionals depending on the individual's needs.

**172.4(3) *Minimum components.*** A diagnosis and evaluation shall give a written summary of medical, social, psychological and educational/vocational functioning and needs and shall give recommendations for appropriate services and prognosis for minimizing handicapping conditions as a result of service interventions.

**441—172.5(234) Case plan (individual service plan).**

**172.5(1) *Development.*** An individual service plan shall be developed by the caseworker based on the findings and recommendations of the diagnosis and evaluation and shall include input from the client or representative and agency personnel interested in the welfare of the client. The individual service plan shall be developed prior to placement in a sheltered workshop or work activity program.

**172.5(2) *Minimum components.*** The individual service plan shall contain information which documents the service goals and service needs of the individual on a short-range and long-range basis. It shall also identify providers of needed services, time frames for service provision and goal accomplishment as well as time frames and caseworker responsibility for follow-up activities.

**172.5(3) *Follow-up.*** Follow-up and progress review relative to the individual service plan shall be done with the client and other interested parties on at least a semiannual basis.

**441—172.6(234) Provider's individual program plan.**

**172.6(1) *Development.*** A rehabilitation facility providing sheltered work or work activity services shall develop a program plan for each client of the department placed in that service within 30 days after such placement. The caseworker shall supply a copy of the diagnosis and evaluation and the individual service plan to the provider providing service and shall assure that the provider's individual program plan is supportive to the individual service plan.

**172.6(2) *Minimum components.*** The provider's individual program plan shall be based upon the evaluation/assessment data, shall include long-term and short-term goals, behavioral objectives, intervention strategies for specific objectives and periodically reviewed as provided herein. It shall identify specific services to be provided, time frames for review provision and goal and objective accomplishment.

**172.6(3) *Follow-up and review.*** Within one week after placement in a sheltered work or work activity program the caseworker shall have contact with the client and the facility to review program adjustment. The individual program plan of the provider shall be reviewed at least semiannually by the caseworker.

**441—172.7(234) Termination.**

**172.7(1) *Financial eligibility.*** Sheltered work/work activity services shall be terminated when the client no longer meets eligibility requirements specified in rule 441—130.3(234).

**172.7(2) Service eligibility.** Services shall be terminated:

- a.* When the client has progressed to competitive employment and needs no longer exist;
- b.* When the client or legal representative requests termination;
- c.* When it is determined that another service program can more adequately meet the client's needs;
- d.* When the handicapping condition requires more care than the facility can provide.

Termination may be enforced by the facility upon 30 days' written notice to the department setting forth the conditions and reasons. When the client exhibits behavior dangerous to self and others, the facility may terminate services as soon as is necessary with immediate written notice to the department.

These rules are intended to implement Iowa Code section 234.6(6) "i."

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